

# HAMILTON, BROOK, SMITH & REYNOLDS, P.C.



## POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM

Application Number	10/719,432
Filing Date	November 21, 2003
First Named Inventor	Spiros Jamas
Confirmation Number	5697
Group Art Unit	1614
Examiner Name	Cybillie Delacroix Muirheid
Attorney Docket Number	2732.1016-029

Title	UNDERIVATIZED, AQUEOUS SOLUBLE $\beta$ (1-3) GLUCAN, COMPOSITION AND METHOD OF MAKING SAME
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I hereby appoint

☒ Practitioners associated with **Customer No. 021005**

☐ Practitioner(s) named below:

as my/our attorneys/agents to prosecute the application identified above, including any continuation or divisional applications thereof, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ Customer Number 021005

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P.O. Box 9133

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☐ Other \_\_\_\_\_

Please direct all telephone calls and facsimiles to:

Name Alice O. Carroll, Esq. Tel. No. 978-341-0036 Fax No. 978-341-0136

I am the:

☐ Applicant/Inventor.

☒ Authorized representative of the Assignee, Biothera (formerly Biopolymer Engineering, Inc.), of the entire interest. See 37 C.F.R. § 3.71. A Statement under 37 C.F.R. § 3.73(b) is enclosed.

☐ Authorized representative of the Assignee, [ ], together with [ ], of the entire interest. A Statement under 37 C.F.R. § 3.73(b) is enclosed.

### SIGNATURE of Applicant or Assignee of Record

Signature	
Name & Title	Steven J. Karel, Chief Technology and Operating Officer
Date	4/27/05



Docket No. 2732.1016-029

STATEMENT UNDER 37 C.F.R. § 3.73(b)

Inventors: Spiros Jamas, D. Davidson Easson, Jr. and Gary R. Ostroff

Application No./Patent No.: 10/719,432 Filed/Issue Date: November 21, 2003

For: UNDERIVATIZED, AQUEOUS SOLUBLE  $\beta$ (1-3) GLUCAN, COMPOSITION AND METHOD OF MAKING SAME

Biothera (formerly Biopolymer Engineering, Inc.), a

Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is

- A. ☒ the assignee of the entire right, title and interest in the patent application identified above; or
- B. ☐ an assignee together with ☐ of the entire right, title and interest in the patent application identified above.

The right, title and interest of the above-named assignee in the patent application identified above is established by virtue of:

- A. ☒ An assignment from the inventors of the Parent Application No. 07/934,015. The assignment was recorded in the Patent and Trademark Office at Reel 006309, Frame 0106, or a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.

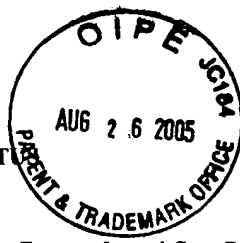
The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature: \_\_\_\_\_

Name: Steven J. Karel

Title: Chief Technology and Operating Officer

Date: 4/27/05



STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.27(a))-SMALL BUSINESS CONCERN

DOCKET NUMBER: 2732.1016-029

Applicant or Patentee: Spiros Jamas, D. Davidson Easson, Jr. and Gary R. Ostroff  
Application or Patent No.: 10/719,432  
Filed or Issued: November 21, 2003  
Title: UNDERIVATIZED, AQUEOUS SOLUBLE  $\beta$ (1-3) GLUCAN, COMPOSITION AND METHOD OF MAKING  
SAME

I hereby state that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Biothera (formerly Biopolymer Engineering, Inc.)  
ADDRESS OF SMALL BUSINESS CONCERN 3388 Mike Collins Drive  
Eagan, Minnesota 55121

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416 or you may call 202-205-6618.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with title as listed above.  
☒ the application identified above.  
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each person, concern or organization having rights in the invention must file separate statements as to their status as small entities. No rights to the invention are held by any person who would not qualify as a person under 37 CFR 1.27(a)(1), or by any concern which would not qualify as a small business concern under 37 CFR 1.27(a)(2), or a nonprofit organization under 37 CFR 1.27(a)(3).

Each additional person, concern or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.  
☐ each such person, concern, or organization is listed below.


Separate statements are required from each named person, concern, or organization having rights to the invention stating their status as small entities.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.27(g)(2))

NAME OF PERSON SIGNING Steven J. Karel

TITLE OF PERSON IF OTHER THAN OWNER Chief Technology and Operating Officer

ADDRESS OF PERSON SIGNING Biothera, 3388 Mike Collins Drive, Eagan, Minnesota 55121

SIGNATURE  DATE 4/27/05